

# Notice of Allowability

Application No.

09/692,100

Examiner

Kim-Kwok CHU

Applicant(s)

TESHIMA ET AL.

Art Unit

2653

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to April 18, 2005.
2. ☒ The allowed claim(s) is/are 1, 3-13, 22 and 14-21 which are renumbered as 1-21 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

***Allowable Subject Matter***

1. Claims 1-22 are allowable over prior art.
2. The following is an Examiner's statement of reasons for the indication of allowable subject matter based on the Amendment filed on April 18, 2005.

As in claim 1, the prior art of record fails to teach or fairly suggest a discontinuous position detecting device for detecting an actual discontinuous position between recording contents recorded on a recording medium having the following features:

(a) a scanning unit that scans the recording medium in a first direction and in a second direction that is opposite to the first direction;

(b) a first detecting unit that detects a temporary discontinuous position located in a vicinity of the actual discontinuous position while the scanning unit scans the recording medium in the first direction;

(c) a second detecting unit that detects the actual discontinuous position while the scanning unit scans the recording medium in the second direction; and

(d) a scan controller that controls the scanning unit to scan the recording medium at a first scan speed except while the second detecting unit detects the actual discontinuous

position, and to scan the recording medium at a second scan speed while the second detecting unit detects the actual discontinuous position, the second scan speed being slower than the first scan speed.

As in claim 14, the prior art of record fails to teach or fairly suggest a method of detecting an actual discontinuous position between recording contents recorded on a recording medium having the following steps:

(a) scanning the recording medium in a first direction at a first scan speed;

(b) detecting a temporary discontinuous position located in a vicinity of the actual discontinuous position, while scanning the recording medium in the first direction at the first scan speed;

(c) scanning the recording medium in a second direction that is opposite to the first direction at the first scan speed up to a vicinity of the temporary discontinuous position;

(d) scanning the recording medium in the second direction from the vicinity of the temporary discontinuous position at a second scan speed, the second scan speed being slower than the first scan speed; and

(e) detecting the actual discontinuous position, while scanning the recording medium in the second direction at the second scan speed.

As in claim 18, the prior art of record fails to teach or fairly suggest a computer program in a computer-readable medium for detecting a discontinuous position between recording contents recorded on a recording medium having the following operations:

- (a) a program for scanning the recording medium in a first direction at a first scan speed;
- (b) a program for detecting a temporary discontinuous position located in a vicinity of the actual discontinuous position, while feeding the recording medium in the first direction at the first scan speed;
- (c) a program for scanning the recording medium in a second direction that is opposite to the first direction at the first scan speed up to a vicinity of the temporary discontinuous position;
- (d) a program for scanning the recording medium in the second direction from the vicinity of the temporary discontinuous position at a second scan speed, the second scan speed being slower than the first scan speed; and
- (e) a program for detecting the actual discontinuous position, while feeding the recording medium in the second direction at the second scan speed.

The features indicated above, in combination with the other elements of the claims, are not anticipated by, nor made

obvious over, the prior art of record.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any response to this action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry. Or:

(571) 273-7585, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry of a general nature or relating to the status of this application should be directed USPTO Contact Center (703) 308-4357; Electronic Business Center (703) 305-3028.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kim-Kwok CHU  
Examiner AU2653

November 25, 2005  
(571) 272-7585

*KE 11/25/05*

*William Korzuch*  
WILLIAM KORZUCH  
SUPERVISOR  
TECHNOLOGY CENTER 2800